**THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA**

**WRIT PETITION No.22429 of 2000**

**Dated: 24.10.2007**

Between:

Deevi Srinivasacharyulu. .. Petitioner

And

The Commissioner of Endowments,
A.P. Tilak Road, Hyderabad
and others. .. Respondents

**THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA**

**WRIT PETITION No.22429 of 2000**

**ORDER:**

The writ petitioner approached this Court and filed this writ petition for a writ of Mandamus directing the 1st and 2nd respondents to give effect to the impugned order passed by the 2nd respondent in his proceedings in Rc.No.A3/406/97, dated 11.12.1999, with effect from 09.05.1997 as per the provisions contained in G.O.Ms.No.858 of the Revenue (Endts-1) Department, dated 08.10.1997, uninfluenced by the 3rd respondent with all consequential benefits and to pass such suitable orders.

2. The grievance of the petitioner, who is working as an Archaka in the 2nd respondent's temple, is that though he is entitled for basic pay of Rs.1,400/- in the pay scale of Rs.1400-2730/- with effect from the year 1997 as per the provisions of G.O.Ms.No.858 of the Revenue (Endts-1) Department, dated 08.10.1997, the 2nd respondent passed the impugned order, dated 11.12.1999, fixing his basic pay on regular basis as Rs.1,400/- in the said pay scale with effect from the date of issuance of the said order i.e., 11.12.1999, and as such, the respondents' authorities are paying him the said pay only with effect from 11.12.1999, which is contrary to the provisions of the said G.O., and hence, he approached this Court and filed this writ petition.

3. The 2nd respondent filed the counter affidavit alleging that as the writ petitioner was not a full time Archaka of the 2nd respondent's

temple and as he was only a part time employee and also enjoying the income from out of the landed properties of other temples, he is not entitled to the benefit of pay scale with effect from 09.05.1997. It is also stated that the petitioner was appointed on regular basis only with effect from 11.12.1999 in pursuance of the orders of this Hon'ble Court in W.P.No.16840 of 1999, as such, he is not entitled to get back wages with effect from 09.05.1997 as pleaded by him.

4. Heard the learned counsel for the petitioner and the learned Government Pleader for Endowments.

5. Paragraph 9 of the G.O., dated 08.10.1997, reads thus:-

> "The Commissioner of Endowments Department shall implement the pay scales, Dearness allowances etc. together with the principles of Committee as accepted by Government with effect from 09.05.1997."

Hence, it is clear that the respondents shall implement the pay scales, Dearness allowance etc. together with the principles of committee as accepted by the Government with effect from 09.05.1997.

6. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the respondents are hereby directed to consider the case of the petitioner and pass appropriate orders in terms of the G.O.Ms.No.858 of Revenue (Endts-1) Department, dated 08.10.1997. However, the said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition is disposed of. No order as to costs.

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(GOPALA KRISHNA TAMADA,J)

Dt.24.10.2007

Note: Furnish CC in ten days

B/o

v v